IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WA.No. 1791 of 2007

AGAINST THE JUDGEMENT IN WPC.10603/2006 Dated 26/02/2007
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APPELLANT: PETITIONER:

SRI. GEORGE THOMAS,
KOCHUPURACKAL HOUSE, PATHAMPUZHA P.O., POONJAR.

BY ADV. SRI.JOHN K.GEORGE
SRI.P.K.VARGHESE

RESPONDENTS: RESPONDENTS:
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1. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), MEENACHIL, PALA P.O.

2. THE MEENACHIL EAST URBAN CO-OPERATIVE BANK LTD.NO.4266, POONJAR THEKKEKARA, REPRESENTED BY ITS GENERAL MANAGER.

3. THE VILLAGE OFFICER,
POONJAR THEKKEKARA VILLAGE, POONJAR P.O.

BY SPECIAL GOVERNMENT PLEADER SRI C.T.RAVIKUMAR

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

W.A.No.1791 of 2007

Dated, this the 25th day of July, 2007

JUDGMENT

H.L. DATTU, CJ.

Sri C.T. Ravikumar, learned special Government Pleader, is directed to take notice for the respondents and he is permitted to file his memo of appearance within six weeks from today.

2. The appeal is directed against the order passed by the learned Single Judge in W.P.(C) No.10603 of 2006 dated 26th February, 2007. By the impugned order the learned Single Judge has rejected the writ petition. That is how the petitioner in the writ petition has presented this appeal before us.

3. In the writ petition there were several prayers including for a direction to the Assistant Registrar to consider Ext.P6 representation said to have been filed on 15.3.2006. The learned Single Judge, without going into that aspect of the matter, has rejected the writ petition. In our opinion if we direct the 1st respondent, namely, the Assistant Registrar, Co-operative Societies, Meenachil, to consider the representation said to have been filed by the petitioner dated 15.3.2006 in accordance with law as early as possible, no prejudice would be caused to the Assistant Registrar. Therefore, in modification of the orders passed by the learned Single Judge, we pass the following:

Order

i. The writ appeal is disposed of.

ii. The Assistant Registrar of Co-operative Societies, Meenachil is directed to consider the representation dated 15.3.2006 said to have been filed by the petitioner in accordance with law after affording an opportunity of hearing

to the petitioner as well as to the 2nd respondent, namely, the Meenachil East Urban Co-operative Bank Ltd. No.4266, Poonjar Thekkekara, and pass appropriate orders in accordance with law as expeditiously as possible, at any rate within four months from the date of receipt of a copy of this court's order.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

mt/